



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**FEB 26 2019**

Frances A. Noe

Sun City, Arizona 85373

RE: MUR 7458

Dear Mr. Noe:

The Federal Election Commission reviewed the allegations in your complaint received on August 6, 2018. On February 21, 2019, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Arizona Republican Party and Bob Lettieri in his official capacity as treasurer and Debbie Lesko for Congress and Ashley Ragan in her official capacity as treasurer and close its file in this matter. Accordingly, the Commission closed its file in this matter on February 21, 2019. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure  
General Counsel's Report

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**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR: 7458**

**Respondents:** Arizona Republican Party  
and Bob Lettieri, Treasurer;  
Debbie Lesko for Congress  
and Ashley Ragan, Treasurer  
("the Committee")<sup>1</sup>

**Complaint Receipt Date:** August 6, 2018

**Response Date:** September 25, 2018

**EPS Rating:**

**Alleged Statutory**

**52 U.S.C. § 30104(b)(2)-(5), (8)**

**Regulatory Violations:**

**11 C.F.R. §§ 104.3(a)(3), (b)(2), 104.9(a), 104.11(b)**

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The Complaint alleges that the Committee used space at the Arizona Republican Party's office, but failed to report in-kind contributions or expenditures for such use. Respondents assert that the Committee leased the space for a fair market value of \$250 a month starting in July 2018, and that the rental payments were disclosed in the Committee's Reports. Respondents also deny that the Committee maintained any space in the Arizona Republican Party's office prior to the start of the lease, but acknowledge that Committee personnel would hold occasional impromptu meetings there before the start of the lease.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for

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<sup>1</sup> Debbie Lesko was a candidate for the U.S. House of Representatives for Arizona's Eighth Congressional District. Debbie Lesko for Congress is her principal campaign committee.

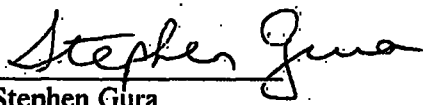
Commission action after application of these pre-established criteria. Given that low rating and the likely modest amounts at issue with respect to the Committee meetings held on Arizona Republican Party's premises before the start of the lease term, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

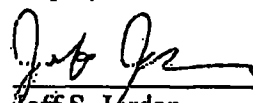
Lisa J. Stevenson  
Acting General Counsel


Kathleen M. Guith  
Associate General Counsel

2.6.19  
\_\_\_\_\_  
Date

BY:

  
\_\_\_\_\_  
Stephen Gura  
Deputy Associate General Counsel

  
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Jeff S. Jordan  
Assistant General Counsel

  
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Kristina M. Portner  
Attorney